

BOARD OF APPEAL REFERRALS

April 28, 1983

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MEMORANDUM

April 28, 1983

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 5/3/83
Z-6143
47-49 Hancock Street Condominium Association
47-49 Hancock Street, Boston
near Myrtle Street

Four-story structure

District(s): apartment H-2-65 general business industrial
 residential local business waterfront
 single family manufacturing

Purpose: change occupancy from ten to nine apartments.

Violation(s):
Section

Open space is insufficient.

Interior construction will combine two existing apartments units. Recommend approval.

VOTED: In reference to petition Z-6143, 47-49 Hancock Street Condominium Association, 47-49 Hancock Street, Boston, for a variance for change of occupancy from ten to nine apartments in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Two existing apartments units will be combined. There will be no exterior changes.



Z-6143
47-49 HANCOCK ST
(B.P.)

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6153-6154

Edward Dodd, Jr., and Edward Dodd, III
42-44 Delle Avenue, Roxbury
near Burney Street

Three-story duplex structure

District(s):	apartment <u>H-1</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: subdivide.

Violation(s):

Lot area, width, frontage, and open space are insufficient.

Floor area ratio is excessive.

Subdivision will allow sale of structure to tenants, who will continue to occupy structures. No opposition. Recommend approval with proviso.

VOTED: In reference to petitions Z-6153-6154, Edward Dodd, Jr., and Edward Dodd, III, 42-44 Delle Avenue, Roxbury, for eight variances to subdivide duplex dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with the following proviso: that there be as part of the deeds a covenant that exterior treatment of the structures be uniform and that the covenant be recorded in the Registry of Deeds



2-6153-54
42-44 DELLE AVE
(ROX)

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6156-6159
 Paul J. Labbe
 121-123, 125, 127, 129 Chittick Road,
 Hyde Park
 near Washington Street

2½-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.5</u>		manufacturing_____

Purpose: subdivide; erect three attached one-family dwellings.

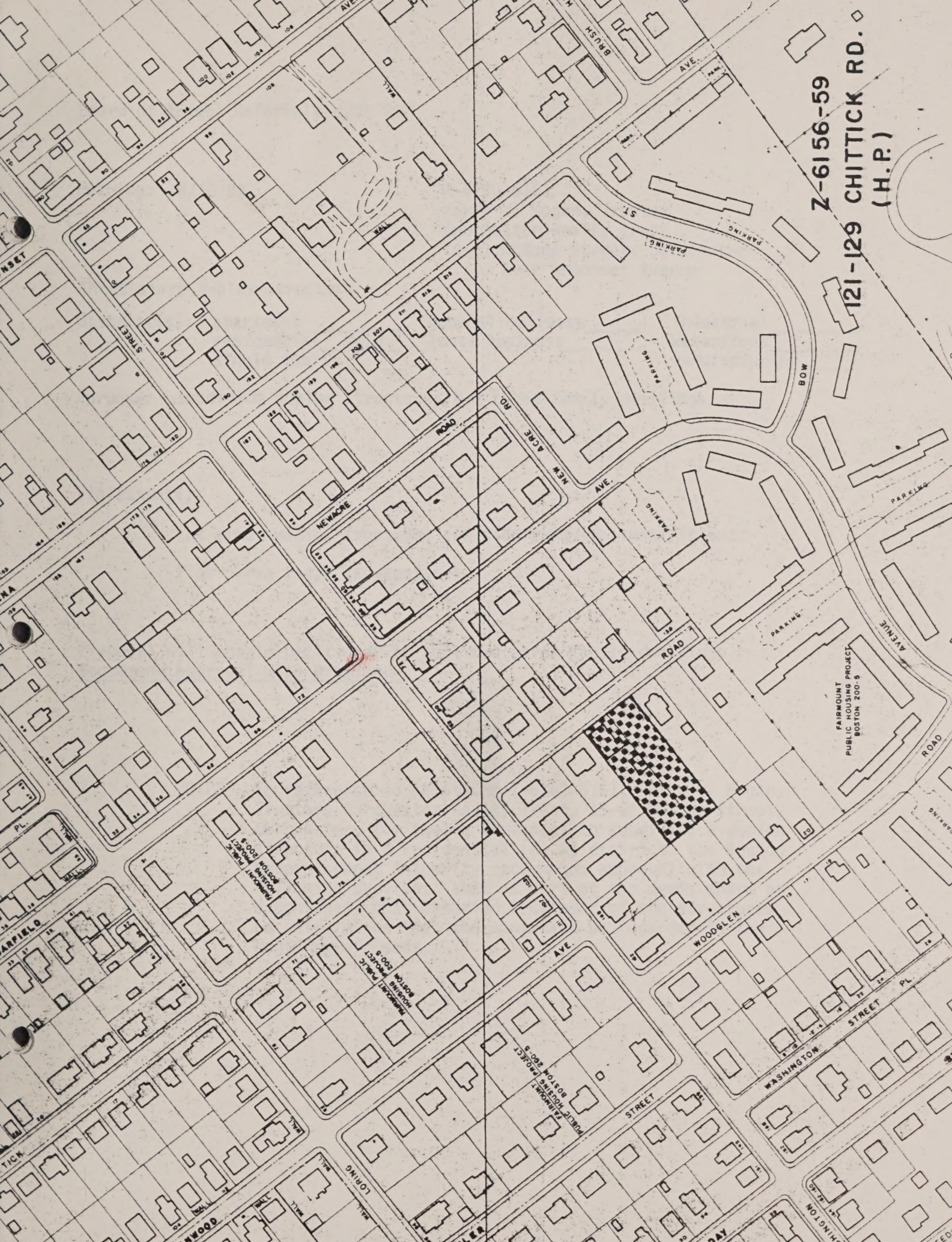
Violation(s):

Row house is a forbidden use.

Lot area, side, and rear yards are insufficient.

Proposed row structure containing three one-family town houses on a 16,865-square-foot lot is inappropriate and incompatible with the one-two-family residential character of the neighborhood. Community has expressed concern.
Recommend denial without prejudice.

VOTED: In reference to petitions Z-6156-6159, Paul J. Labbe, 121-129 Chittick Road, Hyde Park, for three forbidden uses and seven variances to subdivide and erect three attached one-family dwellings in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial without prejudice. Proposed row structure containing three town houses on a 16,865-square-foot lot is inappropriate as designed. Developer should resolve community concerns on design and unit location.



Z-6156-59
121-129 CHITTICK RD.
(H.P.)

FAIRMOUNT
PUBLIC HOUSING PROJECT
BOSTON 200-5

NEWACRE
ROAD

NEW
AVE.

WOODGLEN
STREET

WASHINGTON
STREET

STREET

FAIRMOUNT
PUBLIC HOUSING PROJECT
BOSTON 200-5

FAIRMOUNT
PUBLIC HOUSING PROJECT
BOSTON 200-5

FAIRMOUNT
PUBLIC HOUSING PROJECT
BOSTON 200-5

WOOD
STREET

LORING
STREET

FAIRMOUNT
PUBLIC HOUSING PROJECT
BOSTON 200-5

CHITTICK
RD.

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6160-6161
Harry V. Hogan, Trustee
Dorchester Realty Trust
19-21 McKone Street, Dorchester
near Neponset Avenue

Three-story duplex structure

District(s): apartment _____ general business _____ industrial _____
residential R-.8 _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: subdivide duplex structure; two three-family dwellings.

Violation(s):

Lot area, width, frontage, and side yard are insufficient.

Floor area ratio is excessive.

Proposal will enable petitioner to sell two three-family dwellings.
Recommend approval with proviso.

VOTED: In reference to petitions Z-6160-6161, Harry V. Hogan, Trustee, Dorchester Realty Trust, 19-21 McKone Street, Dorchester, for twelve variances to subdivide a duplex structure in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following proviso: that as part of the deeds there be a covenant that exterior treatment of the structures be uniform and that the covenant be recorded in the Registry of Deeds.



19-21 Mc KONE
(DOOR)
ST.
7-6160-61

Board of Appeal Referrals 4/28/83

Hearing: 5/3/83

Z-6168

Burger King Corporation
1350 Boylston Street, Boston
at Kilbarnock Street

One-story structure, vacant

District(s): apartment _____ general business B-2 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect drive-through window addition to take-out restaurant;
install two free-standing signs.

Violation(s):

Change in pre-existing conditional use.

Drive-in restaurant is conditional use.

Free-standing signs are not allowed.

Site formerly occupied by a Gino's restaurant. Proposed improvements include exterior and interior renovation of existing building, resurfacing of parking lot, and landscaping. Petitioner will provide 20 parking spaces for Red Sox patrons and donate fees to the Jimmy Fund. Elderly and local residents will be employed and donations made to elderly programs and local drop-in center. Community has expressed concerns about existing traffic in this commercial area. Recommend approval with provisos.

VOTED: In reference to petition Z-6168, Burger King Corporation, 1350 Boylston Street, Boston, for three conditional uses to erect drive-through window addition to a take-out restaurant and install two free-standing signs in a general business (B-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that use be granted for three years and petitioner address community's traffic concerns; that plans be submitted for design review. Site formerly occupied by Gino's restaurant. Petitioner will provide 20 parking spaces for Red Sox patrons and donate fees to the Jimmy Fund. Elderly and local residents will be employed and donations made to elderly programs and local drop-in center.



Board of Appeal Referrals 4/28/83

Hearing: 5/3/83

Z-6169

Bunker Realty Trust - Edward J. Byrnes, Trustee
2 Monument Square, Charlestown
near Wallace Court.

Four-story structure

District(s): apartment H-1 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: change occupancy from convent and parish house to five apartments.

Violation(s):

Lot area, open space, and off-street parking are insufficient.

Structure will be completely rehabilitated. Proposed conversion is compatible with residential neighborhood. Recommend approval with proviso.

VOTED: In reference to petition Z-6169, Edward J. Byrnes, Trustee, Bunker Realty Trust, 2 Monument Square, Charlestown, for three variances for change of occupancy from convent and parish house to five apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided plans for any exterior changes are submitted for design review. Structure will be completely rehabilitated. Proposed conversion is compatible with residential neighborhood.

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6170
Montgomery Park Associates
623-623a Tremont Street, Boston
near West Canton Street

4½-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-2</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from lodging house and store to four apartments and beauty parlor.

Violation(s):

Dwelling converted for more families is forbidden use.

Floor area ratio is excessive.

Proposed dining room—kitchen (250 sq. ft.) of basement apartment creates floor area violation. Occupancy consistent with local business—residential area. Immediate neighbors support. Recommend approval with design review.

VOTED: In reference to petition Z-6170, Montgomery Park Associates, 623-623a Tremont Street, Boston, for a forbidden use and a variance for change of occupancy from lodging house and store to four apartments and beauty parlor in a local business (L-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.



623-623A TREMONT ST.
(B.P.)

Z-6170

Board of Appeal Referrals 4/28/83

Hearing: 5/3/83

Z-6176

Gaston Serge Realty Trust
279 Newbury Street, Boston
at Gloucester Street

Three-story structure

District(s): apartment _____ general business B-3-65 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from four stores and three offices to four stores,
three offices, and cafe.

Violation(s):

Restaurant is conditional use.

Petitioner proposes to add interior and exterior seating to existing bakery,
consistent with similar facilities along Newbury Street. Recommend denial.

VOTED: In reference to petition Z-6176, Gaston Serge Realty Trust, 279 Newbury Street, Boston, for a conditional use for change of occupancy from four stores and three offices to four stores, three offices, and cafe in a general business (B-3-65) district, the Boston Redevelopment Authority recommends denial. Neighborhood objects to proliferation of restaurants in the immediate area, which is predominantly residential.



Z-6176

279 NEWBURY ST.
(B.P.)



Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6177
Geoffrey M. Smyth
72 High Street, Charlestown
near School Street

Three-story structure

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from one- to two-family dwelling.

Violation(s):

Dwelling converted for more families is conditional use.

Lot area is insufficient.

Proposed occupancy is consistent with two-three-family residential neighborhood.
No opposition. Recommend approval.

VOTED: In reference to petition Z-6177, Geoffrey M. Smyth, 72 High Street, Charlestown, for a conditional use and a variance for change of occupancy from one- to two-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Proposal is consistent with two-three-family residential neighborhood.



72 HIGH ST
(CHSN)
Z-6147

SHIPPS STREET
CEMETERY

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6180

Thomas F. and Martha J. Welch
58 Eliot Street, Jamaica Plain
at Pond Street

2½-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.3</u>		manufacturing_____

Purpose: erect one-story addition to one-family dwelling.

Violation(s):

Rear yard is insufficient.

Floor area ratio is excessive.

Addition will extend first-floor kitchen. Violations are minimal. No objections from abutters. Recommend approval with proviso.

VOTED: In reference to petition Z-1680, Thomas F. and Martha J. Welch, 58 Eliot Street, Jamaica Plain, for two variances to erect a one-story addition to a one-family dwelling in a single-family (S-.3) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.

Z-6180

58 ELIOT STREET
(J.R.R.)

POND

JAMAICA



Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6183

Robert C. and Janet M. Casto
177-177a Cornell Street, Roslindale
near Washington Street

2½-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential R-.5 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: change occupancy from two- to three-family dwelling.

Violation(s):

Three-family dwelling is forbidden use.

Lot area, width, and frontage are insufficient.

Floor area ratio is excessive.

Occupancy is existing. Property was purchased four years ago as three-family dwelling. No objections from abutters. Recommend approval.

VOTED: In reference to petition Z-6183, Robert C. and Janet M. Casto, 177-177a Cornell Street, Roslindale, for a forbidden use and four variances for change of occupancy from two- to three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Occupancy is existing. Property was purchased four years ago as three-family dwelling.



Z-6183

177A CORNELL ST.
(ROS.)

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6186
Holiday Inns, Inc.
65 Lewis Street, East Boston
at Marginal Street

Vacant land

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront W-2
single family _____ manufacturing _____

Purpose: parking lot for fee - 643 vehicles.

Violation(s):

Parking lot is conditional use.

Proposed huge parking facility would create further congestion in the Maverick Square area and is incompatible with the surrounding residential neighborhood. Recommend denial.

VOTED: In reference to petition Z-6186, Holiday Inns, Inc., 65 Lewis Street, East Boston, for a conditional use for use of premises to park 643 vehicles for fee in a waterfront (W-2) district, the Boston Redevelopment Authority recommends denial. Proposed huge parking lot would create further congestion in the Marverick Square area and is incompatible with the surrounding residential neighborhood.



EAST BOSTON

PIER NO. 1

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6187
George Pagounis
1325 Boylston Street, Boston
near Yawkey Way

Gas service station and parking.

District(s): apartment _____ general business B-2 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: increase parking capacity from 35 to 68 vehicles.

Violation(s):

Parking lot is conditional use.

Change in conditional use.

Parking plan is unacceptable; total lack of maneuvering space is a serious concern. People and vehicles awaiting service could create hazardous conditions on lot and public right of way. No more than 40 vehicles should be allowed. Recommend denial.

VOTED: In reference to petition Z-6187, George Pagounis, 1325 Boylston Street, Boston, for a conditional use to increase parking capacity from 35 to 68 vehicles in a general business (B-2) district, the Boston Redevelopment Authority recommends denial. Parking plan is unacceptable; total lack of maneuvering space is a serious concern. People and vehicles awaiting service could create hazardous conditions on lot and public right of way. No more than 40 vehicles should be allowed.



BROOKLINE

BOYLSTON

PETERBOROUGH

FULLERTON

AVENUE

AVENUE

KILMARNOCK

YAN NESSE

PARKING AREA

YAWKEY WAY

MARY F. BLESS
SCHOOL

PARKING AREA

SEYMOUR
DAVIS
JUNIOR
HIGH SCHOOL

STREET

STREET

IPSWICH STREET

IPSWICH STREET

INTERNAL
REVENUE
SERVICE

STREET

STREET

STREET

1320 BOYLSTON ST.
(B.P.)
2-6187

Board of Appeal Referrals 4/28/83

Hearing: 5/3/83

Z-6189-6191
150 F Street Realty Trust
John W. Klovstad, Trustee
148-150, 152-154, 156-158 F Street,
South Boston
near West Broadway

Four-story structures.

District(s): apartment _____ general business B-2 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: legalize occupancy of three structures: four apartments respectively.

Violation(s):

Dwelling converted for more families is forbidden use.

Lot area and open space are insufficient.

No records of legal occupancy. Four-family residences have existed approximately twenty years. No neighborhood opposition. Recommend approval.

VOTED: In reference to petitions Z-6189-6191, 150 F Street Realty Trust, 148-158 F Street, South Boston, for three forbidden uses and six variances to legalize occupancy of three structures as four apartments respectively in a general business (B-2) district, the Boston Redevelopment Authority recommends approval. No records of legal occupancy. Four-family residences have existed approximately twenty years.



Board of Appeal Referrals 4/28/83

Hearing: 5/3/83

Z-6192
Matteo Gallo
40-42 Sheafe Street, Boston
at Snow Hill Street

Four-structure

District(s):	apartment <u>H-3</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: change occupancy from eight to nine apartments; erect one-story addition.

Violation(s):

Dwelling converted for more families is forbidden use.

Floor area ratio is excessive.

Open space, front yard, rear yard, and setback of parapet are insufficient.

Roof-top addition for ninth apartment would be inappropriate and would impair the architectural integrity of the structure. Recommend denial.

VOTED: In reference to petition Z-6192, Matteo Gallo, 40-42 Sheafe Street, Boston, for a forbidden use and five variances for change of occupancy from eight to nine apartments and erect a one-story addition in an apartment (H-3) district, the Boston Redevelopment Authority recommends denial. Roof-top addition for ninth apartment would be inappropriate and would impair the architectural integrity of the structure.



NORTH END
PLAYGROUND

CHARTER

COPPS HILL TERRACES

COPPS

HILL

CENETERY

SHEAFE

PVT. JOHN
DEPILIPPO
PLAYGROUND

PAUL
REVERE
HALL

ST. STEPHEN'S
R.C. CHURCH

ST. MARY'S
R.C. CHURCH

ST. MARY'S
RECTORY

ST. ANTHONY
R.C. SCHOOL

PLAYGROUND

CHRISTOPHER
COLUMBUS
R.C. YOUTH CENTER

ST. LEONARD'S
R.C. CHURCH

ST. JULIAN'S
R.C. CHURCH

ST. MARY'S
PAROCHIAL
SCHOOL

40-42 SHEAFE ST
(B.P.)

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6195-6197
Joseph Tomlinson
24 and 33 Worcester Square, 7 Dwight Street,
Boston

4-, 3½- 3-story structures

District(s):	apartment H-2, H-3	general business	industrial
	residential	local business	waterfront
	single family		manufacturing

Purpose: legalize occupancy of three structures: six apartments respectively.

Violation(s):

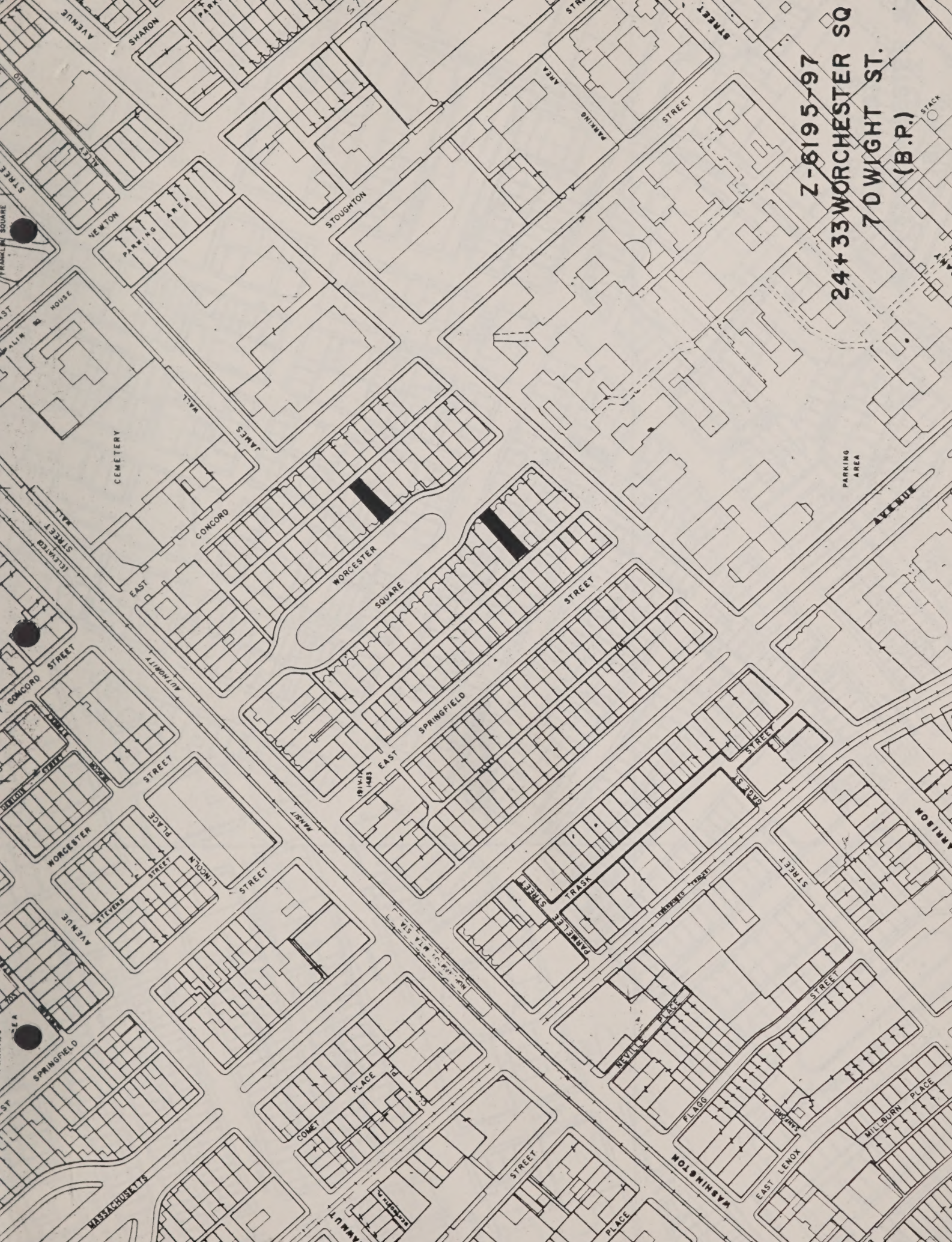
Dwelling converted for more families is forbidden use.

Open space is insufficient.

Floor area ratio is excessive.

No record of legal occupancies. Former lodging dwellings will be rehabilitated. Proposal is compatible with residential neighborhood.
Recommend approval with proviso.

VOTED: In reference to petition Z-6195-6197, Joseph Tomlinson, 24 and 33 Worcester Square and 7 Dwight Street, Boston, for three forbidden uses and four variances to legalize occupancy of three structures as six apartments respectively in apartment (H-2 and H-3) districts, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.



Z-6195-97

24 + 33 WORCHESTER SQ

70 WIGHT ST.

(B.P.)



Z-6195-97

7 DWIGHT ST

24133 WORCESTER SQ

(B.P.)

Board of Appeal Referrals 4/28/83

Hearing: 5/10/83

Z-6199

Domenic A. Piso, Trustee
69 North Margin Street, Boston
near Thacher Street

District(s): apartment H-3 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from eight to ten apartments.

Violation(s):

Dwelling converted for more families is forbidden use.

Floor area ratio is excessive.

Open space and rear yard are insufficient.

Previous unused basement space will be converted to two apartment units.
Structure will undergo complete renovation. Recommend approval with proviso.

VOTED: In reference to petition Z-6199, Domenic A. Piso, Trustee, Lopedo Realty Trust, 69 North Margin Street, Boston, for a conditional use and three variances for change of occupancy from eight to ten apartments in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review.



Z-8199
65 NORTH MARGIN ST
(B.P.)